

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

<b>JUSTIN TAROVISKY, ET AL.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>No. 19-4C</b>
<b>v.</b>	)	
	)	<b>(Judge Campbell-Smith)</b>
<b>UNITED STATES,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT’S MOTION FOR A STAY OF ALL CURRENT DEADLINES IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of all current deadlines, including deadlines to respond to plaintiffs’ complaint, motion for leave to file a second amended complaint, and motion for class certification, in the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of all current deadlines, including deadlines to respond to plaintiffs’ complaint, motion for leave to file a second amended complaint, and motion for class certification, in the above-captioned case until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at

that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. On January 15, 2019, plaintiffs' counsel indicated that plaintiffs would oppose this motion.

6. Therefore, although we greatly regret any disruption caused to the Court and to plaintiffs, the Government hereby moves for a stay of all current deadlines, including deadlines to respond to plaintiffs' complaint, motion for leave to file a second amended complaint, and motion for class certification, until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

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